torney's Docket No. 033339/138407

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Joel Sternheimer

Confirmation No.: 5047

1631

Appl. No.: 09/320,637

Group Art Unit:

Filed:

May 26, 1999

Examiner:

James Martinell

For:

METHOD FOR THE REGULATION OF PROTEIN BIOSYNTHESIS

RECEIVED

Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

AUG 2 5 2003 OFFICE OF PETITIONS

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

1.	Petition fee under 37 CFR 1.17(m) (\$1300 or \$650 for small entity) Applicant claims Small entity status (37 CFR 1.27)			
2.	2. Reply and/or fee	Reply and/or fee		
	A. The reply and/or fee to the above noted Office action in the form of (identify the type of reply): has been filed previously on is enclosed herewith. 08/25/2003 AMONDAF1 00000060 09320637			
	B. The issue fee of \$ 0 has been paid previously on is enclosed herewith.	o1 FC:2453	650.00 OP	
3.	Terminal disclaimer with disclaimer fee Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required. A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$55 for a small entity or \$110 for other than a small entity) disclaiming a period equivalent to the number of months from the date of abandonment to the filing of this petition is enclosed herewith.			
4.	STATEMENT: The entire delay in filing the required reply from the due date for the required			

In re: Joel Sternheimer Appl. No.: **09/320,637** Filing Date: May 26, 1999

Page 2

reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment of the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

Respectfully submitted,

Ernest B. Lipscomb, III Registration No. 24,733

CUSTOMER NO. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

RECEIVED

AUG 2 5 2003

OFFICE OF PETITIONS

"Express Mail" mailing label number EV231894255US Date of Deposit August 21, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Janet F. Sherrill